

FILED

AUG 23 2024

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

**IN THE UNITED STATES DISTRICT COURT,
FOR THE EASTERN DISTRICT OF TEXAS,
SHERMAN DIVISION**

**NELSON WILLIS,
Plaintiff,**

v.

**ADAM M. ARON,
Defendant.**

**Case No.: 4:23-cv-00732-ALM
AUGUST 23, 2024**

PLAINTIFF'S MOTION FOR JUDICIAL NOTICE

PLAINTIFF DECLARES:

Adam M. Aron is solely and completely responsible for the insurmountable debt placed upon AMC Entertainment Holdings, INC. This insurmountable debt has enriched insiders and debtholders at the expense of common shareholders, necessitating a series of pernicious financial engineering schemes.

I. Introduction

Plaintiff Nelson Willis, proceeding pro se, submits this Motion for Judicial Notice pursuant to Federal Rule of Evidence 201. The Plaintiff requests the Court to take judicial notice of the egregious and severe misconduct by Adam M. Aron, whose actions have inflicted profound financial harm on AMC shareholders. The Plaintiff further emphasizes the extraordinary reluctance of judicial authorities to hold Aron accountable, despite overwhelming evidence of his orchestrated schemes to defraud and destroy shareholder value. The Plaintiff also references his Motion to Unseal Documents and Evidence (Document 52) in the cause of United States v. Sakoya Blackwood, United States District Court Southern District of New York, Case No. 1:22-cr-00460-JMF, which seeks to unseal critical documents that expose further misconduct.

II. Request for Judicial Notice

Plaintiff requests that the Court take judicial notice of the following severe and indisputable facts, as fully detailed in Exhibit A:

1. Adam M. Aron's Deliberate Financial Sabotage:

- Adam M. Aron has intentionally burdened AMC Entertainment Holdings, INC. with an insurmountable debt that was never meant to be repaid. This debt has disproportionately benefited insiders and debtholders while devastating shareholders. Aron's actions are not accidental but part of a calculated scheme to set up the company for a hostile takeover, a move he has already facilitated through his reckless and self-serving decisions, as evidenced in Exhibit A.

2. Systemic Judicial Reluctance:

- Despite clear evidence of Adam M. Aron's wrongdoing, as outlined in Exhibit A, there has been a disturbing reluctance among the judiciary to prosecute him. This failure to act has emboldened Aron to continue his fraudulent activities, causing ongoing and irreparable harm to shareholders, including the Plaintiff.

3. Complicity of Legal Counsel in Severe Misconduct:

- The Defendant's legal counsel was fully aware of Aron's severe misconduct, including the transmission of sexually explicit material to a purportedly very young girl. Yet, they continued to represent him without disclosure, further eroding the integrity of the legal process and directly contributing to the procedural fraud in this case. This is further corroborated by the Plaintiff's Motion to Unseal Documents and Evidence (Document 52) in the cause of United States v. Sakoya Blackwood, United States District Court Southern District of New York, Case No. 1:22-cr-00460-JMF, and fully detailed in Exhibit A.

III. Argument in Support of Judicial Notice

1. Establishing a Pattern of Severe and Pernicious Misconduct:

- The facts presented are not isolated incidents but part of a deliberate and continuous pattern of extreme unethical and illegal behavior by Defendant Adam M. Aron. Judicial notice of these facts, including the direct evidence of severe financial exploitation, sexual misconduct, and the strategic imposition of insurmountable debt on AMC, is critical for the Court to understand the full extent of Aron's misconduct and its devastating impact on shareholders.

2. Supporting Claims of Severe Procedural Fraud:

- The Plaintiff's claims of severe procedural fraud are further substantiated by Aron's history of employing similar deceitful tactics in previous legal disputes. Judicial notice of these facts, along with the critical evidence sought in the Plaintiff's Motion to Unseal Documents and Evidence (Document 52), will provide the necessary context for assessing the Defendant's credibility and the veracity of the Plaintiff's claims.

3. Preventing Further Abuse of the Judicial Process:

- Given the systemic failure of judicial authorities to act against Adam M. Aron's severe misconduct, it is imperative that this Court take judicial notice of the patterns and evidence presented. Failure to do so will only enable further abuse of the judicial process and allow Aron to continue inflicting harm on shareholders with impunity.

IV. Plaintiff is Officially Pressing Charges Against Adam M. Aron, AMC Board of Directors, and AMC Entertainment Holdings Inc.

Plaintiff charges the Defendant with the following federal and state felony violations:

Federal Charges

1. Racketeer Influenced and Corrupt Organizations (RICO) Act Violations:

- 18 U.S.C. § 1962(c): Engaging in racketeering activities by orchestrating a fraudulent scheme to issue and distribute preferred equity units (PEUs), manipulate shareholder votes, and execute a reverse stock split that defrauded AMC shareholders.
- 18 U.S.C. § 1962(d): Conspiring with entities such as Citigroup and Antara Capital to manipulate the issuance and distribution of PEUs, in furtherance of the racketeering enterprise.

2. Securities Fraud:

- 15 U.S.C. § 78j(b) & 17 C.F.R. § 240.10b-5: Engaging in fraudulent practices by manipulating the issuance of PEUs and orchestrating a rigged shareholder vote to effectuate an illegal reverse stock split, deceiving investors and impacting the market price of AMC securities.

3. Wire Fraud:

- 18 U.S.C. § 1343: Using electronic communications to carry out the fraudulent scheme involving the issuance of PEUs, the illegal tender offer, and the rigged shareholder vote.

4. Mail Fraud:

- 18 U.S.C. § 1341: Executing a scheme to defraud shareholders by using the postal service to distribute misleading information about the PEUs and the shareholder vote.

5. Fraudulent Conveyance:

- 18 U.S.C. § 152(7): Fraudulently transferring 232 million PEUs to Antara Capital and other entities to manipulate the shareholder vote, thereby depriving Class A shareholders of their voting rights.

6. Manipulation of Stock Prices:

- 15 U.S.C. § 78i: Engaging in a scheme to manipulate the market price of AMC securities through the issuance of PEUs and the subsequent shareholder vote, artificially inflating or deflating the stock price for personal and institutional gain.

7. Obstruction of Justice:

- 18 U.S.C. § 1503: Obstructing, influencing, or impeding the judicial process by concealing the fraudulent nature of the PEU issuance and the rigged shareholder vote from the courts and regulatory authorities.

8. False Statements:

- 18 U.S.C. § 1001: Making false representations to the New York Stock Exchange and federal regulators regarding the legitimacy of the PEU issuance and the shareholder vote.

State Charges (e.g., Texas)

1. Securities Fraud (Texas):

- Texas Securities Act, Article 581-29(C): Engaging in deceptive practices in the issuance and distribution of PEUs within Texas, including the manipulation of shareholder voting rights.

2. Theft by Deception:

- Texas Penal Code § 31.03: Unlawfully appropriating voting rights and shares by deceiving shareholders through the issuance of PEUs and the rigged shareholder vote.

3. Fraudulent Concealment:

- Texas Penal Code § 32.46: Fraudulently concealing the true nature and intent behind the PEU issuance and the subsequent reverse stock split from shareholders.

4. Misapplication of Fiduciary Property:

- Texas Penal Code § 32.45: Misapplying corporate assets and shareholder equity in furtherance of a fraudulent scheme that benefitted insiders and debtholders at the expense of Class A shareholders.

5. Forgery:

- Texas Penal Code § 32.21: Creating or altering documents related to the PEU issuance or the shareholder vote to mislead shareholders and regulatory bodies.

Charges Related to Defrauding Courts and Shareholders

1. Fraud on the Court:

- Committing fraud in legal proceedings by submitting false information and documents to the courts regarding the legitimacy of the PEU issuance and the shareholder vote.

2. Perjury (Federal and State):

- Making materially false statements under oath in court proceedings related to the PEU issuance and the rigged shareholder vote, impacting the integrity of the judicial process.

3. Contempt of Court:

- Engaging in conduct that disrespects or obstructs the authority, justice, and dignity of the court, particularly in relation to concealing the fraudulent activities surrounding the PEU issuance and the shareholder vote.

Additional Charges Related to Fraudulent Conveyance and Securities Violations

1. Fraudulent Conveyance:

- Engaging in the illegal transfer of PEUs to Antara Capital and other entities as part of a scheme to defraud Class A shareholders and manipulate the outcome of the shareholder vote.

2. Insider Trading:

- Trading AMC securities based on non-public, material information related to the issuance of PEUs and the rigged shareholder vote, in violation of fiduciary duties.

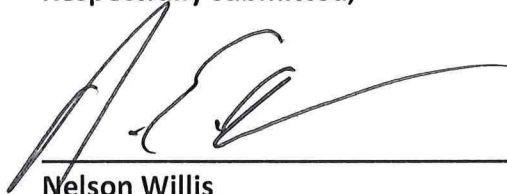
V. Conclusion

For the reasons stated above, Plaintiff respectfully requests that the Court grant this Motion for Judicial Notice and take judicial notice of the severe and deliberate misconduct perpetrated by Adam M. Aron, including the strategic imposition of insurmountable debt on

AMC Entertainment Holdings, INC., the reluctance of the judiciary to prosecute such egregious behavior, and the relevance of the evidence from the United States v. Sakoya Blackwood case, as highlighted in the Plaintiff's Motion to Unseal Documents and Evidence (Document 52). By doing so, the Court will ensure that the full scope of the Defendant's severe and pernicious misconduct is considered, providing a solid foundation for the Plaintiff's claims and further supporting the motion for summary judgment.

DATED: August 23, 2024

Respectfully submitted,




Nelson Willis
Plaintiff Pro Se

Exhibit A: Plaintiff's 254-page Statement of Facts, previously filed as Doc 26, Exhibit A.

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2024, a true and correct copy of the foregoing MOTION FOR JUDICIAL NOTICE was filed in person at the United States District Court for the Eastern District of Texas, Sherman Division. Notice of this filing will be sent to all counsel of record by the Court's electronic filing system.

Respectfully submitted,



Nelson Willis,
Plaintiff Pro Se